



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

LJF:AEG/SD
F.#2007R02181

271 Cadman Plaza East
Brooklyn, New York 11201

November 13, 2009

By Facsimile and ECF

Karina E. Alomar, Esq.
Alomar & Associates, PC
60-89 Myrtle Avenue
Ridgewood, New York 11385

Mildred Whalen, Esq.
Federal Defenders of New York
One Pierrepont Plaza, 16th Floor
Brooklyn, New York 11201

Re: United States v. Thomas Archer et al.
Criminal Docket No. 08-288 (S-1)(SJ)

Dear Counsel:

The government writes to clarify the number of I-687 applications prepared and filed by the defendants. In total, the defendants prepared and filed approximately 234 I-687 applications, none of which were granted. (Eleven have not yet been adjudicated.) While investigating this case, Immigration and Customs Enforcement ("ICE") attempted to collect the majority of these applications. ICE eventually obtained 175 of them. Immigration Officer Mel Shatzkamer reviewed the 175 applications. Those applications are reflected in the reports and chart included in Officer Shatzkamer's section 3500 materials. At trial, the government does not intend to elicit testimony concerning the existence of the approximately 59 I-687 applications prepared and filed by the defendants that have not been reviewed by Officer Shatzkamer.

Respectfully submitted,

BENTON J. CAMPBELL
United States Attorney

By: _____/s/_____
Andrew E. Goldsmith
Soumya Dayananda
Assistant U.S. Attorneys
(718) 254-6498/7996

cc: Clerk of Court (SJ)